REMARKS

In this response to the above-identified Final Office Action, Applicants respectfully request reconsideration in view of the above amendments and following remarks. In this response, the Applicants amend claims 1, 11, 17, and 20. The Applicants do not cancel any claims or add any new claims. Accordingly, claims 1-23 remain pending in the Application.

I.   Claim Rejected Under 35 U.S.C. §101

Claim 20-23 stand rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Applicants have amended paragraph [0035] to remove mention of the transmission technologies identified by the Examiner. Thus, the Applicants believe that the claims 20-23, in light of the amended Specification, are directed toward statutory subject matter. Accordingly, reconsideration and withdrawal of the non-statutory subject matter rejection of claims 20-23 are requested.

II.   Claims rejected under 35 U.S.C. §102

Claims 17 and 19 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. patent No. 6,219,742 issued to Stanley (hereinafter "Stanley").

To anticipate a claim the Examiner must show that the cited references teach each of the elements of the claim. In regard to claim 17, this claim, as amended, includes the elements of "an operating system module executed by the processor to identify a system resource that generates an interrupt and to register a device driver to manage the system resource." The Applicants have reviewed Stanley, but have been unable to discern any part thereof that teaches an operating system module that identifies such system resources that generate interrupts and then registering a device driver to manage those system resources. Thus, the Applicants believe that claim 17 as amended, is not anticipated by Stanley. Accordingly, reconsideration and withdrawal of the anticipation rejection of claim 17 are requested.

In regard to dependent claim 19, this claim depends from independent claim 17 and incorporates the limitations thereof. Thus, for at least the reasons set forth above in

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regard to independent claim 17, Stanley does not anticipate this claim, as well. Accordingly, reconsideration and withdrawal of the anticipation rejection of claim 19 are requested.

III.   Claims Rejected Under 35 U.S.C. §103

Claims 1, 2 and 4 stand rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 5,590,312 issued to Marisetty (hereinafter "Marisetty") in view of U.S. Patent No. 6,148,361 issued to Carpenter, et al. (hereinafter "Carpenter").

To establish a *prima facie* case of obviousness the Examiner must show that the cited references teach or suggest each of the elements of a claim. In regard to claim 1, this claim, as amended, includes the elements of "configuring the resource by the operating system to access the address range." The Examiner equates an application accessing an address range with configuring the resource to access the address range. However, the claim as amended, clarifies that the configuration is done by the operating system. Applicants have reviewed Marisetty but are unable to discern any part therein that teaches such a configuration of resource at the operating system level. The sample provided in Marisetty is a graphics application that accesses VGA address space. This address space is a well known set range. See Marisetty, col. 7, lines 42-45. Thus, no configuration of a resource identified by the operating system is needed for the application to access the VGA address range. Rather, the application would be programmed to access this well known range. Thus, Marisetty does not teach or suggest each of the elements of claim 1.

The Applicants do not believe that Carpenter cures this defect of Marisetty. The Examiner has not relied upon and the Applicants have been unable to discern any part of Carpenter that teaches this element of claim 1. Therefore, the Applicants believe that Marisetty in view of Carpenter does not teach or suggest each of the elements of claim 1 as amended. Accordingly, reconsideration and withdrawal of the obviousness rejection of this claim are requested.

In regard to claims 2 and 4, these claim depend from independent claim 1 and incorporate the limitations thereof. Thus, for at least the reasons mentioned above regard to independent claim 1, Marisetty in view of Carpenter does not teach or suggest

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each of the elements of these claims. Accordingly, reconsideration and withdrawal of the obviousness rejection of claims 2 and 4 are requested.

Claims 3, 5, 6 and 11-13 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Marisetty in view of Carpenter and further in view of Stanley. Claims 3, 5, and 6 depend from independent claim 1 and incorporate the limitations thereof. Thus, for at least the reasons mentioned above in regard to independent claim 1, Applicants do not believe that Marisetty in view of Carpenter teaches or suggests each of the elements of these claims. Specifically, the Applicants do not believe that Marisetty or Carpenter teach or suggest "configuring the resource by the operating system to access the address range." The Applicants do not believe that Stanley cures this defect of Marisetty and Carpenter. The Examiner has not rely upon and the Applicants have been unable to discern any part of Stanley that teaches or suggests these elements of claims 3, 5, and 6. Accordingly, reconsideration and withdrawal of the obviousness rejection of claims 3, 5, and 6 are requested.

Claim 11, as amended, includes the elements of "means for an operating system to configure the resource to access the address range." Thus, for reasons similar to those mentioned above in regard to claims 3, 5, and 6, the Applicants do not believe that Marisetty in view of Carpenter and Stanley teaches or suggests each of the elements of claim 11. Claims 12 and 13 depend from independent claim 11 and incorporate the limitations thereof. Therefore, Applicants believe that Marisetty in view of Carpenter and Stanley fails to teach or suggest each of the elements of claims 11 through 13. Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

Claims 7-10, 14-16, 18, and 20-23 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Marisetty in view of Stanley.

Claim 7 includes the elements of "determining the source of the interrupt based on the address access request at an operating system level." For the reasons mentioned above in regard to independent claim 1, as well as to claims 3, 5, 6 and 11-13, the Applicants do not believe that Marisetty teaches or suggests handling an interrupt at the operating system level and, specifically, does not teach "determining the source of

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the interrupt based on the address access request at the operating system level." The Examiner has not relied upon Stanley and Applicants have been unable to determine any part of Stanley that teaches or suggests this element of claim 7. Therefore, Applicants believe that Marisetty in view of Stanley fails to teach each of the elements of claim 7. Accordingly, reconsideration and withdrawal of the obviousness rejection of claim 7 are requested.

In regard to claims 8-10, these claims depend from independent claim 7 and incorporate the limitations thereof. Thus, for at least the reasons mentioned above in regard to independent claim 7, these claims are not obvious over Marisetty in view of Stanley. Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

In regard to claim 14, this claim includes the elements of "an operating system level interrupt handler module to receive the interrupt when the address protection module detects an address based access." The Examiner has cited col. 8, lines 11-16 and specifically identified the operating system level handler as the SMM handler on page 11 of the Final Office Action. However, on page 3, of the same Final Office Action he has argued that OS level handler is taught by Stanley, citing col. 11, lines 5-65 identifying the general purpose event handler. Thus, it is unclear exactly on what basis the Examiner is rejecting these claims. In regard to the SMM handler, it is well known that an SMM handler is not an operating system level interrupt handler. Rather an SMI interrupt is transparent to the operating system and the SMM handler is typically implemented in firmware or similar manufacture provided software package. See for example, col. 1, line 66 through col. 2, line 2 of Stanley. Thus, Marisetty fails to teach an operating system level interrupt handler.

The general purpose event handler discussed by Stanley, at col. 11, lines 5-65 is called in response to the setting of a bit in the general purpose event register causing a system control interrupt to be asserted. See col. 11, lines 5-8. The Applicants have been unable to discern any part of Stanley that teaches that the general purpose event handler receives an interrupt from an address protection module that detects an address base access. Therefore, the Applicants believe that neither Stanley nor Marisetty teaches or suggests these elements of claim 14.

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Further, the Applicants believe that the combination of the general purpose event handler of <u>Stanley</u> with the emulation program of <u>Marisetty</u> would be improper because it would change the fundamental operating principles of <u>Marisetty</u>. See MPEP §2143.01. <u>Marisetty</u> explicitly states that its system is designed to function such that it is transparent to the application and the operating system. See col. 2, lines 61-66 of <u>Marisetty</u>. Thus, this makes the SMI interrupt and the SMM handler appropriate for use in the context of <u>Marisetty</u>. The use of an operating system visible interrupt such as SCI interrupt and the general purpose event handler disclosed by <u>Stanley</u> it would be inappropriate as this would not allow the emulation program of <u>Marisetty</u> to operate transparent to the operating system and, therefore, render it unsuitable for its intended purpose. Therefore, <u>Stanley</u> cannot be properly combined with <u>Marisetty</u> to teach this element of claim 14.

The Applicants also note that these arguments are equally applicable to any potential rejection of the other claims in this application that have been amended to have similar elements. Therefore, the Applicants believe that <u>Marisetty</u> in view of <u>Stanley</u> does not teach or suggest each of the elements of claim 14. Accordingly, reconsideration and withdrawal of the obviousness rejection of claim 14 are requested.

In regard to claims 15 and 16, these claims depend from independent claim 14 and incorporate the limitations thereof. Thus, for at least the reasons mentioned above in regard to independent claim 14, these claims are not obvious over <u>Marisetty</u> in view of <u>Stanley</u>. Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

In regard to claim 18, this claim depends from independent claim 17 and incorporates the limitations thereof. Thus, for at least the reasons mentioned above in regard to independent claim 17, the Applicants believe that this claim is not obvious over <u>Marisetty</u> in view of <u>Stanley</u>. Accordingly, reconsideration and withdrawal of the obviousness rejection of this claim are requested.

In regard to claims 20-23, claim 20, as amended, includes the elements of "determining the source of the interrupt based on the address access request at an operating system level." Thus, for at least the reasons mentioned above in regard to

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independent claim 7, Applicants believe that claim 20 is also not obvious over the cited references. Claims 22 and 23 depend from independent claim 20 and incorporate the limitations thereof. Therefore, the Applicants believe that claims 20-23 are not taught or suggested by the cited references. Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

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CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely claims 1-23, patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.
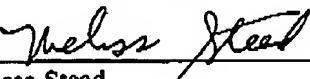
Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
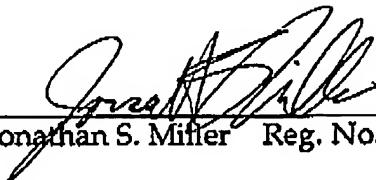
Dated: June 1, 2006.

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

_____   June 1, 2006
Melissa Stead   Date

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